

City Council Introduction: **Monday**, June 10, 2002
Public Hearing: **Monday**, June 17, 2002, at **1:30 p.m.**

Bill No. 02R-127

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1952, HAWKSWOOD ESTATES 1ST ADDITION COMMUNITY UNIT PLAN, requested by Olsson Associates on behalf of the property owners, for 28 dwelling units and a church, with associated waiver requests, on property generally located at South 70th Street and Old Cheney Road.

STAFF RECOMMENDATION: Conditional Approval

ASSOCIATED REQUESTS: Preliminary Plat No. 01024, Hawkswood Estates 1st Addition (02R-128)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 04/03/02
Administrative Action: 04/03/02

RECOMMENDATION: Conditional Approval (8-0: Carlson, Duvall, Larson, Bills-Strand, Newman, Krieser, Steward and Schwinn voting 'yes'; Taylor absent).

FINDINGS OF FACT:

1. This community unit plan and the associated preliminary plat were heard at the same time before the Planning Commission.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4-5, concluding that panhandle shaped lots are generally unacceptable; however, in the subdivision of existing acreage lots, they are acceptable and preserve the character of the neighborhood. A panhandle shape for Lots 17 and 20-23 provides frontage and access without private roadways. Most of the waivers were previously approved with the Hawkswood Estates Preliminary Plat No. 00001. The waiver of the required depth-to-width ratio permits the flag lots.
3. On April 3, 2002, this application was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
4. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated March 20, 2002.
5. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 3, 2002

REVIEWED BY: _____

DATE: June 3, 2002

REFERENCE NUMBER: FS\CC\2002\SP.1952 CUP

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: **Special Permit #1952 (C.U.P.)**
Preliminary Plat #01024
Hawkswood Estates 1st Addition

DATE: March 20, 2002

PROPOSAL: To create 29 lots with 28 units of housing and one church.

WAIVER REQUESTS:

1. To allow street lighting at 480-500 intervals instead of the 240 foot maximum.
2. To eliminate sidewalks along one side of internal streets.
3. To allow rural roadway section.
4. To allow the water main and sanitary sewer to be located 15.5 feet on either side of the centerline instead of the typical 17 feet.
5. To allow rural ditches to carry storm water rather than following general design standards for storm water.
6. To transfer sewage from one drainage basin to another.
7. To allow block length to exceed 1,320'.
8. Pedestrian way easements.
9. To allow permanent dead end streets to exceed the 1000' maximum.
10. To allow smaller cul-de-sac paving diameter(64') and right-of-way diameter(100').
11. 3:1 depth to width ratio for residential lots.

Waivers requested that are no longer necessary if Lots 17 and 20-23 are redesigned with panhandles:

1. Private roadway width
2. Street names
3. Street profile for private roadway

LAND AREA: 48.54 acres, more or less

CONCLUSION: Panhandle shaped lots are generally unacceptable, however in the subdivision of existing acreage lots they are acceptable and preserve the character of the neighborhood. A panhandle shape for Lots 17 and 20-23 provides frontage and access without private roadways.

Most of the waivers were previously approved with Hawkswood Estates Preliminary Plat #00001. The waiver of the required depth to width ratio permits the flag lots.

RECOMMENDATION:	Community Unit Plan:	Conditional Approval
	Preliminary Plat:	Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: The remaining portion of Lot 70 I.T., the remaining portion of Lot 55 I.T., the remaining portion of Lot 71 I.T., Lot 54 I.T., Lot 52 I.T., Lot 57 I.T., and the remaining portion of Lot 139 I.T., all located in the NE 1/4 of Section 16, T9N, R7E of the 6th P.M., Lancaster County, Nebraska.

LOCATION: S. 70th & Old Cheney Road

APPLICANT: Stephen Clymer, AIA
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474-6311

OWNERS: Robert Beck
Kit Dimon
Diane Oldfather
Zane and Ethel Fairchild
Alan and Jacqueline Embury
Vincent and Janice Goracke
Herbert and Barbara Griess

EXISTING ZONING: R-3 Residential and R-1 Residential

EXISTING LAND USE: Single family housing on acreage lots

SURROUNDING LAND USE AND ZONING:

North:	R-1	Single family housing
South:	AGR	Single family acreages
East:	R-3 and AGR	Attached single family and acreages
West:	R-1 and AGR	Single family acreages

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates this area as Low Density Residential.

Low density residential encompasses residential areas with densities which usually range from 1 to 5 acres per dwelling unit with a typical density of 3 acres per dwelling unit, also referred to as acreages. (Page 38)

Low density residential areas ... within the Lincoln City Limits, should be designed to become incorporated into the City. (Page 52)

Neighborhoods are one of Lincoln's great strengths and their conservation is fundamental to this plan. The health of Lincoln's varied neighborhoods and districts depends on implementing appropriate and individualized policies. (PAGE 36a)

As Lincoln ... grows, it will (should) respect its important environmental resources and use them to enhance the quality of urban and rural development. (Page 36a)

HISTORY:

Date when preliminary plat was submitted: **December 13, 2001**

Date when Planning Director's letter was sent: **January 14, 2002**

Date when revised preliminary plat was submitted: **February 25, 2002**

August 31, 2001 Planning staff met with representatives for Hawkswood Estates and Sheridan Lutheran Church. The church plans to purchase the area covered by the Fairchild Estates Preliminary Plat, which would create access problems for some of the lots in Hawkswood Estates.

July 16, 2001 Hawkswood Estates Preliminary Plat #00001 was approved by City Council.

October 18, 1999 City Council approved Change of Zone #3181, which changed the zoning on the southwest corner of S. 70th and Old Cheney from R-1 Residential to R-3 Residential and the Fairchild Estates Preliminary Plat.

UTILITIES: Generally available

TOPOGRAPHY: The northern portion slopes to the northwest. The southern portion slopes to the southwest.

TRAFFIC ANALYSIS: Both S. 70th Street and Old Cheney Road are classified as arterials.

PUBLIC SERVICE: City of Lincoln Fire and Police

REGIONAL ISSUES: Redeveloping acreage development with City infrastructure

ALTERNATIVE USES: None apparent - the Hawkswood Estates Preliminary Plat approved a nearly identical design.

ANALYSIS:

1. Street trees should be provided along the Stevens Ridge Road as required by the subdivision ordinance.
2. This application addresses access concerns for Lots 17, 20, 21, 22, and 23. These lots should be connected to Stevens Ridge Road via panhandle shaped lots rather than creating

substandard private roadways. Panhandle lots are appropriate in this case - this former acreage area presents unique redevelopment challenges.

3. The plat is substantially similar to the previously approved Hawkswood Estates Preliminary Plat #00001 and should be approved, subject to the conditions below.

C.U.P. CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to:

- 1.1.1 Clarify the boundary of the public access and utility easement on Stevens Ridge Road.
- 1.1.2 Remove Outlots "B" and "C" and connect Lots 17, 20, 21, 22, and 23 to Stevens Ridge Road. The connections to the road should be at least 10 feet wide. A common driveway may be shown across the "necks" so that multiple driveways are not necessary.
- 1.1.3 Revise the line weights so that the contours are de-emphasized and the lot lines have more clarity.
- 1.1.4 Remove the following waiver requests, which will no longer be necessary with the redesigned lots: 11-D, 11-E, and 11-I.
- 1.1.5 To waiver request 11-H, add "on one side".
- 1.1.6 Remove reference to Outlots "B" and "C" in the Notes.
- 1.1.7 In Note 20, change 17 to 18.
- 1.1.8 To Note 13, add language indicating that setbacks shall be per R-1 and R-3.
- 1.1.9 Indicate that Lot 24 is the church site. Either provide a building envelope or indicate that all site details shall be provided at time of building permit.

2. This approval permits 28 dwelling units and a church
3. City Council approves the following waiver: dead-end with no turn around.

General:

4. Before receiving building permits:
 - 4.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
 - 4.2 The construction plans shall comply with the approved plans.

4.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the dwelling units and the church all development and construction shall have been completed in compliance with the approved plans.
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 5.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Jason Reynolds
Planner

**SPECIAL PERMIT NO. 1952
HAWKSWOOD ESTATES 1ST ADDITION
COMMUNITY UNIT PLAN**

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

April 3, 2002

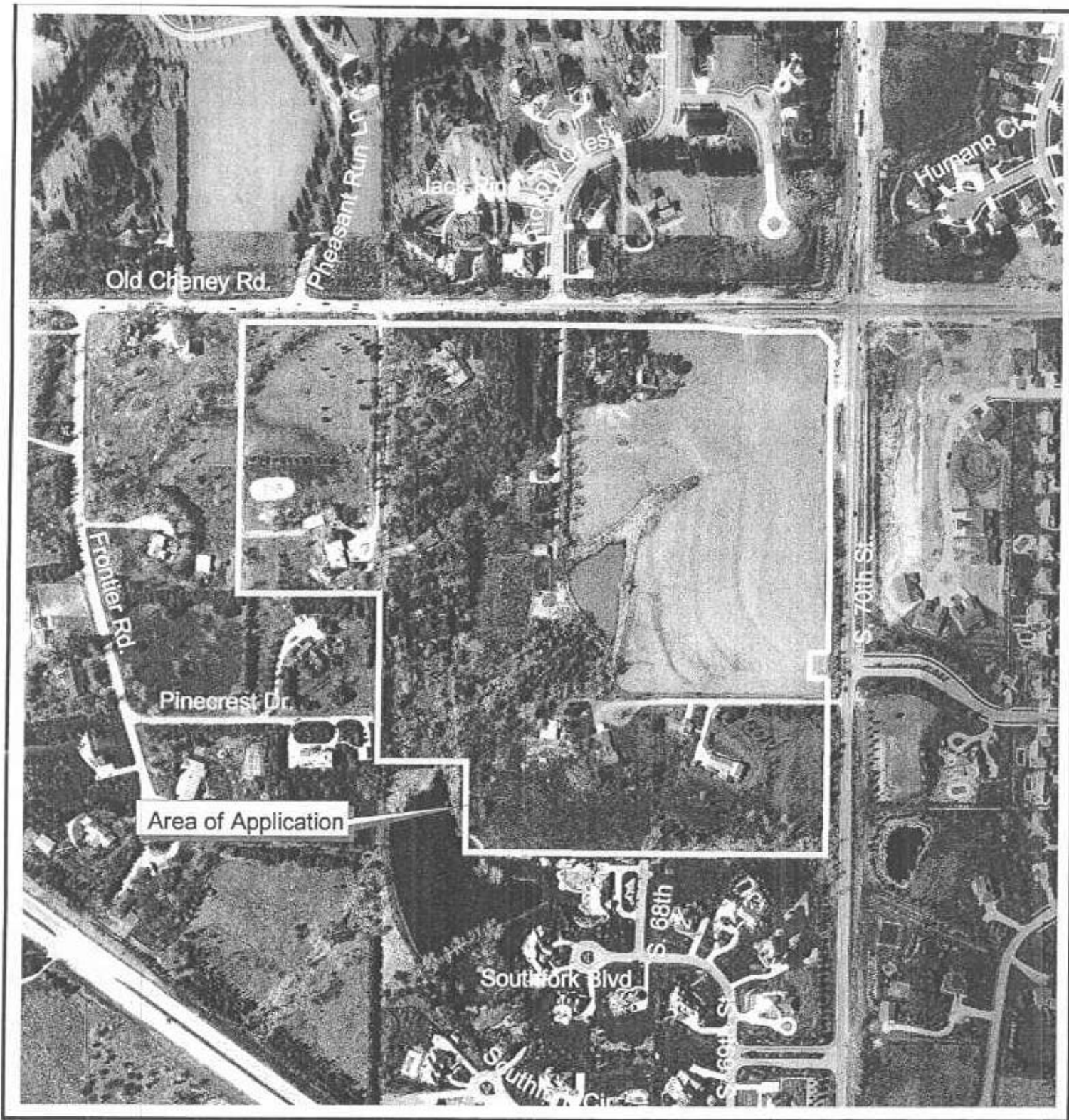
Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3361; SPECIAL PERMIT NO. 1951, HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 01020, HARTLAND HOMES SOUTHWEST; MISCELLANEOUS NO. 01011; PRE-EXISTING USE PERMIT NO. 9S; PRE-EXISTING SPECIAL PERMIT NO. 23E; SPECIAL PERMIT NO. 1962; SPECIAL PERMIT NO. 1963; SPECIAL PERMIT NO. 1774A, AMENDMENT TO THE WILDERNESS ESTATES 3RD ADDITION COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 1952, HAWKSWOOD ESTATES 1ST ADDITION COMMUNITY UNIT PLAN; and PRELIMINARY PLAT NO. 01024, HAWKSWOOD ESTATES 1ST ADDITION.**

Item No. 1.3, Pre-Existing Special Permit No. 23E, was removed from the Consent Agenda and scheduled for separate public hearing.

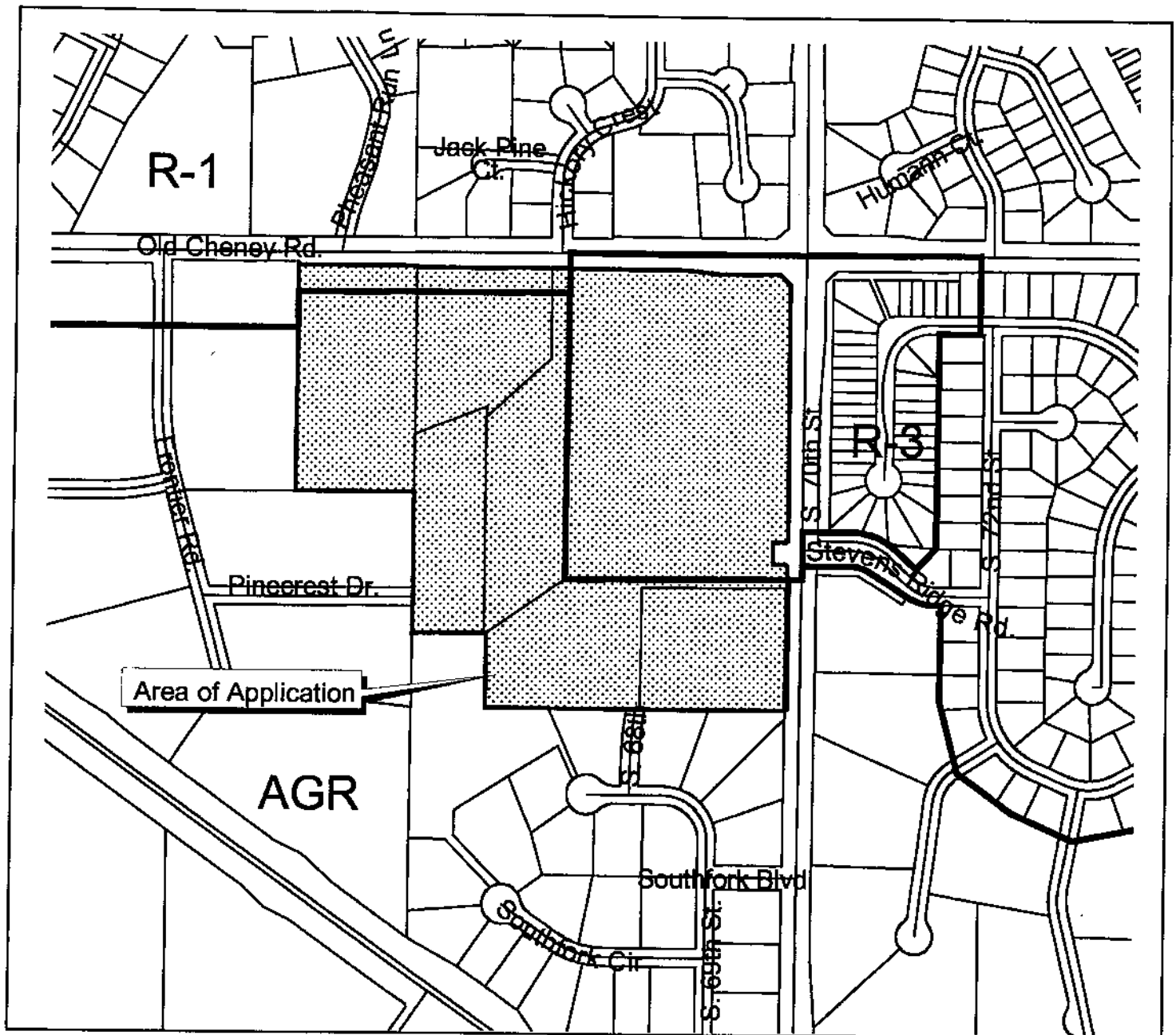
Carlson moved to approve the remaining Consent Agenda, seconded by Newman and carried 8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent.

Note: This is final action on Pre-Existing Use Permit No. 9S, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Preliminary Plat #01024
 Special Permit #1952
 Hawkswood Estates 1st Add
 Old Cheney Rd. & So. 70th St.**



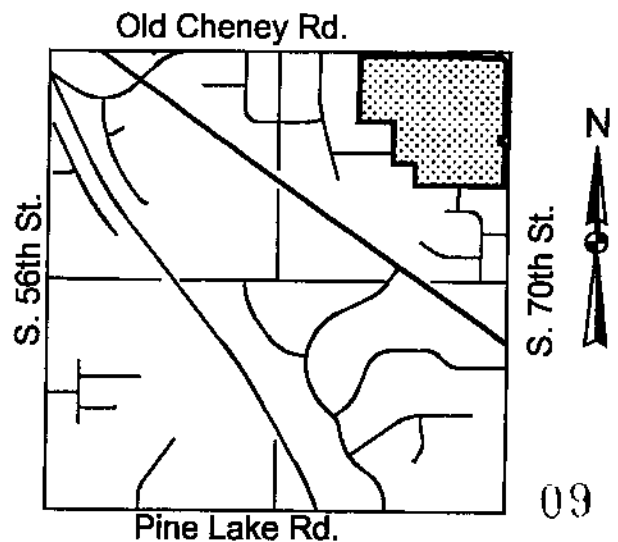
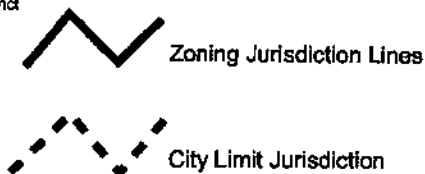


Preliminary Plat #01024
Special Permit #1952
Hawkswood Estates 1st Add
Old Cheney Rd. & So. 70th St.

Zoning:


R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 16 T9N R7E



M e m o r a n d u m

MAE 12 2002

To: Jason Reynolds, Planning
From:  Dennis Bartels, Engineering Services
Subject: Hawkswood Estates 1st Addition
Date: March 11, 2002
cc: Roger Figard
Randy Hoskins
Nicole Fleck-Tooze

Engineering Services has reviewed the revised Hawkswood Estates 1st Addition Preliminary Plat and Special Permit and has the following comments:

1. Water - The revisions made to the water system are satisfactory. It should be noted that the water main in 68th circle will need to be extended to the south limits of this plat to accommodate a future connection to the south fork water system.

If any lots make connection to the 70th Street or Old Cheney water mains, the lots must pay a connection fee.

2. Sanitary Sewer - The proposed sewer system is satisfactory.
3. Drainage - Lots 24 and 25, Block 1 are now part of this plat. These lots have not been included in the drainage study. These lots must be included in the drainage study and must be analyzed for detention. If the pond on Lot 24 is to remain for detention purposes, it must be sown in an easement and an analysis of the pond per design standards is required. the calculations provided in a letter dated February 27, 2002 are insufficient.
4. Street System - Private roadway must be paved. Public Works does recommend not approving a waiver to allow a rock road.

The waivers listed on Sheet 1 do not agree with the plans and the letter submitted.

I recommend sidewalks along at least one side of private roadways.

Access to Lot 24 to Old Cheney is being worked out with the Old Cheney project. Access to 70th Street cannot be reviewed until a site plan for Lot 24 is submitted.

5. General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system and public storm sewer system has been reviewed to determine if the sizing and general method of providing service is satisfactory. Design consideration including, but not limited to, location of water main bends around curved and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant locations, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connecting storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us>
cc:
Subject: Hawkswood Estates

02/28/2002 02:27 PM

Jason,

The Lincoln Police Department has no objections to the Hawkswood Estates 1st Addition Sp 1952 and PP 01024.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # DRF02020

Address

Job Description: HAWKSWOOD ESTATES 1ST ADD

Location: HAWKSWOOD ESTATES 1S

Special Permit: Y

Preliminary Plat: Y

Use Permit: N

CUP/PUD: N

Requested By:

FEB 17 2002

Status of Review: Approved

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards

Memo



To: Jason Reynolds, Planning Department
From: Mark Canney, Parks & Recreation *MC*
Date: December 17, 2001
Re: Hawkswood Estates 1st Addition - PP01021 & SP1952

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. It is development in an urbanized area, therefore the same guidelines are applicable as in any other subdivision development. The waiver of sidewalks and street trees is not granted.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.



Dennis L Roth

12/15/2001 07:22
AM

To: JReynolds@ci.lincoln.ne.us
cc:
Subject: re: Hawkswood Estates, 1st Add

PROJ NAME: Hawkswood Estates, 1st Add
PROJ NMBR: PP010201, SP1952
PROJ DATE: 12/13/01
PLANNER: Jason Reynolds

Finding NO duplicate/similar names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

Streets: Hawkswood Cir, Hawkswood Ct, Pinecrest Pl and S 68th Cir



UNITED STATES
POSTAL SERVICE

December 19, 2001

Jason
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992

SUBJECT: Hawkswood Estates 1st Add.

Jason,

I have reviewed the above-mentioned request.

I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

A handwritten signature in cursive script, appearing to read "David L. Wampler".

David L. Wampler
Acting Supervisor, Customer Service Support



INTER-DEPARTMENT COMMUNICATION

DATE December 21, 2001

TO Jason Reynolds, City Planning

FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #59S-68E

Attached is the Preliminary Plat for Hawkswood Estates 1st Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.

As identified in Item 16 of the General Site notes, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File

OFFICEFOQ/DEDEAS.Fm

DEC 26 2001